

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)	
)	
WILLAMETTE DENTAL)	STIPULATION AND ORDER
OF WASHINGTON,)	TO PAY FINE
)	
a Registered Health Care Service)	NO. D 05-108
Contractor.)	
_____)	

FINDINGS AND CONCLUSIONS

- 1) RCW 48.44.095 requires every Health Care Service Contractor (HCSC) to file an annual financial statement before the first day of March showing its financial condition as of the last day of the preceding calendar year.
- 2) As a part of the annual statement filing there is a requirement for a supplemental filing which is due on April 1 of the current calendar year
- 3) Willamette submitted the April filings one month after the due date. They were rejected for insufficiency.
- 4) The supplemental filing was finally accepted July 8, 2004, nearly three months late.
- 5) WAC 284-07-050(5)(a) sets out the requirements for filing quarterly statements of financial conditions. Section(1) makes this requirement applicable to HCSCs.
- 6) These statements are to be filed no later than 45 days after the end of the current calendar quarters. In this case it was to be file by May 17, 2004.
- 7) An acceptable filing was not made until September 21, 2004, nearly four months late.

CONCLUSIONS OF LAW

- 1) In failing to file the required financial information in a timely manner Willamette violated Chapter 48.44 RCW and Chapter 284-07 WAC.

CONSENT TO ORDER

NOW, THEREFORE, Willamette Dental of Washington stipulates to the following in consideration of the desire to resolve this matter without further administrative or judicial proceedings, and the Insurance Commissioner consents to settle the matter in consideration of the fine and such terms as are set for the below:

- 1) Pursuant to RCW 48.44.166 Willamette Dental of Washington stipulates to the foregoing Findings of Fact and Conclusions of Law as they pertain to these facts, stipulates to the entry of this Order and waives further administrative or judicial challenge to the OIC's actions related to the subject of this Order.
- 2) Within thirty days of the entry of the Order Willamette agrees to pay to the OIC a fine in the amount of \$5,000 of which \$2,500 is suspended for a period of three years on condition that Willamette shall not violate the provisions of the Washington State Insurance Code which are the subject of this Order.
- 3) Failure to pay the fine set for the in paragraph two shall constitute grounds for the revocation of the company's registration and for the recovery of the full fine, including the suspended portion.
- 4) Willamette understands and agrees that failure to comply with the statutes and regulations which are the subject of this Order during the three year period following entry of the Order shall constitute grounds for the recovery of the suspended portion of the fine.

EXECUTED this _____ day of _____, 2005

WILLAMETTE DENTAL OF WASHINGTON

By: _____

Title: _____

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ORDER OF THE INSURANCE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Stipulation, the Insurance Commissioner hereby Orders as follows:

- 1) Willamette Dental of Washington is hereby Ordered to pay a fine in the amount of \$5,000, of which \$2,500 is suspended for three years upon the condition that the company fully comply with the laws and regulations of the state of Washington which are the subject of this action.
- 2) Willamette's failure to pay the fine within the time limit set forth above shall result in the revocations the HCSC's registration, and in recovery of both the suspended and unsuspended amounts of the fine in a civil action brought on behalf of the commissioner by the attorney general.

ENTERED AT TUMWATER, WASHINGTON this _____ DAY OF _____, 2005.

Mike Kreidler

Insurance Commissioner

By: _____

Mary M. Cotter

Staff Attorney, Legal Affairs